

**MEMO ENDORSED**

U.S. Department of Justice

United States Attorney  
Southern District of New YorkThe Silvio J. Mollo Building  
One Saint Andrew's Plaza  
New York, New York 10007

October 26, 2007

MEMO ENDORSED

**BY FAX (w/o encl) & BY HAND**

Honorable Deborah A. Batts, Jr.  
 United States District Judge  
 Southern District of New York  
 United States Courthouse  
 500 Pearl Street  
 New York, New York 10007

USDC SDNY  
 DOCUMENT  
 ELECTRONICALLY FILED  
 DOC #: \_\_\_\_\_  
 DATE FILED: 10/26/2007

Re: United States v. Michelle Ramirez  
 07 Cr. 935 (DAB)

Dear Judge Batts:

*Granted  
 10/26/07 DAB  
 10/26/07* The Government writes to respectfully request an adjournment and that time be excluded, pursuant to 18 U.S.C. § 3161(h)(8)(A), from Monday, October 29, 2007, through Monday, November 19, 2007, in the interests of justice pursuant to the Speedy Trial Act.

On Friday, October 5, 2007, the defendant waived indictment and proceeded by information, and the case was assigned to Your Honor.<sup>1</sup> Because the case was referred for initial appearance, the defendant appeared in Magistrate's Court for arraignment on the same day, and time was excluded to a control date of October 29, 2007, for a pretrial conference before Your Honor. Since then, the Government and the defendant have been engaging in substantial plea discussions, but those discussions will not be complete by October 29, 2007.

I have spoken with Your Honor's deputy and understand that the Court is available for a conference on November 19, 2007, at 10:30 am. According, the Government requests an adjournment and that time to be excluded until then. Such an

<sup>1</sup> Please find enclosed a copy of the Information and the Complaint for the above-captioned case.

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exclusion of time will enable the defendant to continue plea discussions with the Government regarding a possible disposition of this case without trial. Accordingly, excluding time will best serve the ends of justice and outweigh the best interests of the public and the defendant in a speedy trial.

I have spoken with Steven Statsinger, Esq., counsel for the defendant, who consents to this request.

Respectfully submitted,

MICHAEL J. GARCIA  
United States Attorney

By:

Iris Lan  
Iris Lan  
Assistant United States Attorney  
(212) 637-2263

cc:

Steven M. Statsinger, Esq. (By fax w/o encl.)

**SO ORDERED**

Deborah A. Batts  
DEBORAH A. BATT<sup>S</sup> 10/26/2007  
UNITED STATES DISTRICT JUDGE

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